

**Superior Town Council
Town Council Meeting**

**Thursday, January 17, 2008
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 7:15 p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Vice Councilmember Peralta arrived at 8:20 p.m.

Members Absent: Councilmember Heglie, Councilmember Marquez, Vice Mayor (1) Valenzuela

Mayor Hing announced that a quorum was not present – he asked staff to update the council with communications and other non action items until a quorum was present. He explained that Councilmember Peralta was on her way but had been delayed.

F. Communication

Managers Report – Rosie Cordova

Fire Station – Ms. Cordova explained that Mr. Gomez has sent the plans to Willdan and they will be scheduling a meeting to establish the bid procedures.

Magma Hotel: Ms. Cordova explained that it is on the business agenda to ratify the bid sent in by Spray Systems for the demolition of the Magma Hotel. She explained that the demolition will begin within a week. She also explained

that she did not receive any further communication from the owners with the exception of a conversation from the note holder who wanted time to allow a family member to test for contractor's licenses to he could handle the demolition. She also reviewed the process on the tax lien.

Resolution Copper MOU – Ms Cordova explained she will be meeting with the attorneys for Resolution Copper along with Mr. Ruby the towns attorney and the Mayor on January 25, 2008 to finalize the agreement.

Queen Creek Project – Ms. Cordova reported on the Queen Creek meeting conducted by the Planning Center. She explained that there was a good attendance and it seemed that everyone was in favor of the project. She explained the next steps would be to create a letter of support for the residents to sign, host a community open house on the project. She explained that these things would assist with community support when writing grants for the phases of the projects.

Inmate Labor – Ms. Cordova explained that staff will be taking the training to supervise inmates. She explained that once the training is conducted the town can begin using inmate labor as soon as the next day. Questions followed regarding how the inmates will be transported. Ms. Cordova explained that a town staff member will pick up inmates in the town car in Miami. Councilmember Cervantes expressed his concerns about this and asked staff to find out if the Department of Corrections could/would handle the transportation needs.

Other communications – Ms. Cordova reported that she and the Mayor attended the State of the State address by Governor Napolitano in Casa Grande. She explained that the states proposed budget should be posted online in a day or two. She also explained that AirVac has decided to move their operations to Globe – she stated that the town received a letter indicating their plan to move to Globe but did not indicate why they decided not to move operations to Superior.

Refuse Collection – Mayor Hing asked for an update on the Refuse Collection contract. Ms. Cordova explained that a representative from Allied waste was at the meeting. The representative gave a brief explanation of their bid. Mayor Hing thanked him for his presentation and for their support of the community cleanup days and the Wednesday bulk pick up. Mayor Hing explained that he did not want to vote on this item for approval until a full council was present to make the decision.

At this time Mayor Hing asked for Mr. Rickus with Resolution Copper to give his update on the project. He apologized that a quorum was still not present but thought that this would be a good time to have the update.

Resolution Copper Project Update – Mr. Rickus, President of Resolution Copper LLC gave an update to the Mayor, Council and Audience about the mining project. He explained that due to the lack of progress with the land swap bill the company would be cutting costs and several of the contractors would be leaving the area because there would not be any further work for them to do until the land exchange is passed. Mr. Rickus explained how this slow down does not affect many of the employees of Resolution Copper because they can be transferred to jobs around the globe. He expressed that the concern was actually for the local economy of Superior and the copper triangle area. He stated that the slowdown will impact the local economy and the affects would be more apparent by March. He stated that the slowdown has been planned in a manner that will allow for things to be restarted quickly once the progress is made with the land exchange. He reviewed the process that the bill has gone through and explained that based on the comments received from all the parties concerned with the Land Exchange they feel that this revised bill has addressed all the needs. Mr. Rickus also explained that Resolution Staff is looking at ways to save monies and that for the first time they are not offering any scholarships this year in an effort to save money. He stated that existing scholarship awards would continue to be honored but there would not be any new scholarships offered for 2008.

Questions and discussion followed regarding the congressional timelines and the deadline for getting this bill passed. Mr. Rickus stated that Congress does not meet quickly on these things. In the best case scenario the bill will pass on or before November of 2008. Mr. Rickus did indicate that if the bill was not passed by November then contracts for services would have to be rebid and that would delay the restart of the project.

In his presentation Mr. Rickus also explained that this project has a tremendous impact on the state of Arizona as well as the federal governments. He stated that the state of Arizona will receive 4 billion dollars in revenues from the project and the federal government will receive 5 billion dollars in revenue. He also explained that neither government is taking a risk in this project. Mr. Rickus explained that in the very near future it will be important to send letters of support to both our local legislators and congressmen, as well as to various congressional committee leaders.

Discussion followed regarding the pipeline that has been constructed for the dewatering of the mine. Mayor Hing asked if that pipeline could transport water from CAP to Superior once the mine was dewatered. Mr. Rickus explained that he did not have a definite answer on that as the pipeline was designed to allow the water to move downward using natural gravity and not necessarily pump water up to Superior. Mayor Hing thanked Mr. Rickus for his presentation.

Call to the Public

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

David Pfohl – reminded the Mayor Council and Audience about the upcoming Crime Free Superior Meeting. He explained that the County Attorney and Sheriff would be present as well as the Judge Bravo, Judge Vanderpool, Judge Oldham and our local police chief, and Mayor. He said that the meeting would be held on Tuesday, January 22nd at 6:30 p.m. in the Superior Junior Senior High Multipurpose room.

Sonia Granillo – Explained that she needed to know the procedures regarding filing a complaint against the Police Department. She explained that she has had difficulty filing a complaint and she wanted an answer. Mayor Hing explained that this item would be placed on the agenda for the next council meeting.

Anna – Requested information regarding the cancer compensation that the Federal Government is required to pay. She said lots of people in Superior have gotten cancer and that she reported several years ago that Omya released toxic materials and she has never gotten any response. She said she wanted the council to do something about letting people know about the compensation.

Hank Gutierrez – remarked on the report made by Mr. Rickus he explained that at this point outside interests were impacting the project and how these outside influences do not care about our community or our schools they are only serving their interests. He stated that the deadline to get this land exchange passed had already passed. He also stated that the towns Resolution of Support for the project and services agreement were two separate issues and encouraged the council to pass the resolution as soon as possible.

Mayor Hing asked if Mr. Wilton would like to give a brief update on his weather station that was recently featured in the Superior Sun.

Rod Wilton – Thanked Mayor Hing for the opportunity to speak about his hobby. He explained that when he moved to Superior he realized that the weather for Superior was reported out of the Williams Gateway Airport. He explained that he purchased the equipment needed to get the weather report for Superior. He stated that the report is published to the town's website

Mayor Hing announced that a quorum was still not present and that Councilmember Peralta would be arriving soon. He requested a short recess until a quorum could be present.

Councilmember Peralta arrived at 8:20 p.m. A quorum was present at 8:20 p.m. and the meeting reconvened.

Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject street closure and facilities use for Soap Box Derby Race

Mayor Hing explained that he is a board member of the Superior Soap Box Derby and that he would remove himself from the dais during the discussion and vote on this item. Mr. Beers attorney to the town of Superior explained that since the Mayor was not paid by the Soap Box Derby he did not have to remove himself and that way the quorum would remain in tact.

Mayor Hing explained that they were requesting that Main St. be closed from Magma to Lobb and they also requested usage of the restrooms and food court area downtown. Second Vice Mayor Lopez made a motion to approve the street closure for the Soap Box Derby Race. Councilmember Peralta seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Use of Food Court Facilities for distribution of food to community

Mayor Hing explained that First Vice Mayor Valenzuela had questions regarding this agenda item and asked to table this item until the following meeting. Councilmember Peralta made a motion to table the agenda item to the next meeting. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject change orders 10 and 11 for park improvements CDBG 175-06

Mayor Hing explained that this change order was not utilizing grant funds and would come out of the General Fund. He explained that these changes could be done by public works staff and recommended to the council either to vote to approve the change orders or reject the change orders in order to allow staff to make the necessary modifications listed for the Food Court park area. Councilmember Peralta made a motion to reject change orders 10 and 11. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject change order 9 for Park Improvement CDBG 175-06

Mayor Hing explained that this change order would allow for placement of security gates on the food court entrances. He explained that First Vice Mayor Valenzuela and Councilmember Cervantes expressed concern that the area was not secured properly. Staff explained that both Vice Mayor Valenzuela and Councilmember Cervantes were asked to participate in the design. Councilmember Cervantes explained that he did not receive a response from Vice Mayor Valenzuela but he requested that the two of them be present while the gates are being placed to make sure the hinges are assembled so the gates can be removed. Second Vice Mayor Lopez made a motion to approve change order 9 in the amount of \$2,012.78 for securing the food court area. Councilmember Peralta seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject resignation of recreation committee members

Ms. Campos explained that she has received resignations for recreation committee members Ignacio and Elizabeth Magallanez. She stated that the town should post for applications for new members. She also reported on upcoming activities the committee is planning on hosting and stated that the flag football program would be ending on January 26th with a final game award ceremony and cookout. She encouraged everyone to attend and get involved with the Recreation Programs. Mayor Hing thanked Ms. Campos for her leadership. Second Vice Mayor Lopez also requested that staff begin to advertise for vacancies on the committee. Second Vice Mayor Lopez made a motion to accept the resignations and declare vacancies on the parks and recreation committee. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject ratification of award of bid for demolition of old Magma Hotel property

Ms. Cordova explained that Spray Systems had submitted a bid of \$85,000 for the demolition of the Adobe Structure and \$177,000 to demolish the adobe, concrete and brick structures. Discussion followed on securing the building and what makes the building secure if there are still broken windows and loose bricks on the building. Ms. Cordova also explained that with the lien on the building it would take a minimum of 7 years before the town could recover the funds she also stated that the town may be able to file a judgment in Civil Court for payments from the property owners. Ms. Oliver explained that staff is looking for grant funding to fund abatement programs for property owners where they could borrow the funds to repair their buildings.

Second Vice Mayor Lopez made a motion to ratify the award of the bid to Spray Systems. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Ordinance No. 99. An ordinance of the Mayor and Town Council of the Town of Superior, Pinal, County Arizona adopting Purchasing Policy Procedures, adding section 3-3-1 to section 3-3-12 of Article 3 of the Superior Town Code, providing for severability, repealing of conflicting provisions and declaring an emergency.

Ms. Cordova explained that this item was reviewed in a previous council meeting. No further questions or discussion followed. Mayor Hing asked Ms. Cordova to give the second reading.

Second Vice Mayor Lopez made a motion to accept the second reading of the ordinance. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

Discuss/Approve/Reject Ordinance 98 of the Mayor and Town Council of the Town of Superior, Pinal County, Arizona Repealing Article 4 section 4-3-1 of the Superior Town Code by Adopting the 1997 Uniform Fire Code, Providing Amendments Thereto Establishing procedures and declaring an Emergency

Ms. Cordova explained that this item was reviewed in a previous council meeting. No further questions or discussion followed. Mayor Hing asked Ms. Cordova to give the second reading.

Councilmember Cervantes made a motion to approve the ordinance. Councilmember Peralta seconded the motion. The motion was approved unanimously.

Discuss/Approve/Reject 2008 refuse collection contract for the Town of Superior

Mayor Hing explained that because this item was approval of a long term contract he would prefer to have the full council in attendance to discuss the contract and review the services. Questions and discussion followed regarding the services and prices of the other bidders for the project. Ms. Cordova explained that staff is recommending Allied Waste as the contractor because of their pricing and services offered. Other companies that bid on the project were either more expensive or did not provide the other services that Superior residents are accustomed to. Ms. Cordova explained that the contract with Allied increases every year and that Council should also approve a rate increase to allow for the increases in the future and the administrative costs that are not currently accounted for appropriately.

Second Vice Mayor Lopez made a motion to table this item for the next meeting. Councilmember Peralta seconded the motion. The motion passed unanimously.

Council returned to the consent agenda for approval. 9:00 p.m.

E. Consent Agenda

9:00 p.m. Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

Approval of Minutes for Regular Meeting January 3, 2008
Disbursements for December 2007

Mayor Hing explained that he recommended approval of the consent agenda and abstained from check numbers 19003, 19041, 19133 as they are made out to his business.

Ms. Cordova explained the financial reports and stated that in contractual services there was a mistake in the General Ledger Account listing a \$264,000 fee paid to Caymus under Administration instead of under the CDBG Grant. She stated this entry was listed in the wrong place and corrections have been made to fix this. She also stated that the report does not include the revenues from the Sewer Service or Grant Revenue.

First Vice Mayor Lopez made a motion to approve the consent agenda. Councilmember Peralta seconded the motion. The motion passed unanimously.

Council Comments

Councilmember Peralta

No Comments

Councilmember Heglie

Absent - Rural Transportation Summit

Councilmember Cervantes

No Comments

Councilmember Marquez

Absent

Second Vice Mayor Lopez

Encouraged everyone to attend the Crime Free meeting on Tuesday and also reminded everyone about an ADOT meeting in regards to daytime road closures on Highway 77.

Vice Mayor 1 Valenzuela

Absent – Rural Transportation Summit

Mayor Hing

Thanked everyone for their patience and attendance at the meeting.

Mayor Hing announced that there would not be an executive session.

J. Executive Session

K. In Public Session

Adjournment

Councilmember Peralta made a motion to adjourn the meeting. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:07 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 17th Day of January 2008. I further certify that the meeting was duly called and held and that a quorum was present when action items were addressed.

Rosie Cordova/s/

Rosie Cordova
Town Manager/Clerk

These minutes have been transcribed and compiled by Mila Lira
Miracle Executive Services, www.miracleexecutiveservices.com